

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

HOLLI LANDRY HARRISON

v.

**INTERNATIONAL CATASTROPHE
INSURANCE MANAGERS, LLC *et al.***

§
§
§
§
§
§

NO. 1:10-CV-683

**ORDER ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE**

On October 28, 2010, this case was assigned to the Honorable Earl S. Hines, United States magistrate judge, for all pretrial matters pursuant to a referral order. On August 4, 2011, the case was reassigned to United States Magistrate Judge Zack Hawthorn. The Court has received and considered the report (Docket No. 75) of the magistrate judge, who recommends that the Defendants' "Motion for Summary Judgment" (Docket No. 75) should be granted in part and denied in part. In particular, the magistrate judge recommends that only the Plaintiff's claims for breach of contract and prompt payment under §§ 542.055, 542.056, and 542.058 of the Texas Insurance Code should survive summary judgment. No objections to the report and recommendation have been filed. The Court's independent review confirms that the magistrate judge's analysis is correct. It is, therefore,

ORDERED that the magistrate judge's report and recommendation (Docket No. 75) is **ADOPTED** and that the Defendants' summary judgment motion (Docket No. 37) is **GRANTED in part** and **DENIED in part**. In accordance with the report and recommendation, the Plaintiff's claims, except for her claims for breach of contract and prompt payment under §§ 542.055,

542.056, and 542.058 of the Texas Insurance Code, are **DISMISSED** from this lawsuit.

SIGNED this the **12** day of **April, 2012**.

A handwritten signature in black ink, reading "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge